

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Attachment No. 1

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Amend section 5144 to read:

§ 5144. Respiratory Protection.

(e) Medical evaluation. Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee. Accordingly, this subsection specifies the minimum requirements for medical evaluation that employers must implement to determine the employee's ability to use a respirator.

(1) General. The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.

(2) Medical evaluation procedures.

(A) The employer shall identify a physician or other licensed health care professional (PLHCP) to perform medical evaluations using a medical questionnaire or an initial medical examination that obtains the same information as the medical questionnaire.

(B) The medical evaluation shall obtain the information requested by the questionnaire in Sections 1 and 2, Part A of Appendix C.

EXCEPTION to subsection (e)(2)(B): For the use of filtering facepiece respirators for protection against M. Tuberculosis only, the employer may rely upon a medical evaluation completed prior to October 18, 2004, in meeting the requirement for initial medical evaluation, if that evaluation meets the following conditions:

1. The evaluation consisted of a questionnaire, medical examination, or both, evaluated or conducted by a PLHCP; and

2. The employer obtained a written statement from the evaluating PLHCP that the employee is medically able to use a respirator.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.